

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

UNITED STATES OF AMERICA, *
Plaintiff, *
*
v. * CIVIL NOS. WMN-02-2018
* WMN-02-3237
\$17,930.19 U.S. CURRENCY, and *
\$10,887.00 U.S. CURRENCY, *
Defendants. *

* * * * *

MOTION FOR FINAL ORDER OF FORFEITURE

The United States of America, by and through undersigned counsel, hereby moves for entry of an order of forfeiture, and in support of such motion states the following:

1. The Verified Complaints for Forfeiture of the defendant property, which, the government submits, set forth probable cause for the forfeiture of the defendant property, were filed on or about June 14, 2002 and October 3, 2002, respectively.

2. On or about October 2, and October 7, 2002, the United States Marshal arrested, or executed process on, the defendant property.

3. As the Verified Complaints set forth, the property was seized from William Anthony Benbow, Margaret Benbow and MZ Biddy Consulting a/k/a MZBC, Inc. An administrative claim was filed by MZ Biddy Consulting a/k/a MZBC, Inc. On or about October 22, 2003, Caroline D. Ciraolo, Esquire signed a Consent to Forfeiture regarding the defendant currency on behalf of MZBC, Inc. A copy of the Consents are annexed hereto as Exhibit A.

4. The claimant agrees to relinquish all right title and interest to the defendant property.

5. On or about October 11, 2002, notice of the pendency of this case was published in The Baltimore Sun, a newspaper of general circulation in the greater Baltimore, Maryland, area pursuant to Rule C of the Supplemental Rules For Certain Admiralty and Maritime Claims. A copy of the advertising certification and a Declaration Regarding Circulation is attached hereto as Exhibit B.

6. No other claimant has come forward within the time allotted by law for the filing of claims, which is within thirty (30) days of the date of publication. 18 U.S.C. Section 983 (a) (4) (A) .

WHEREFORE, the United States of America respectfully requests that the Court enter judgment for the United States of America under the terms and conditions of the draft order submitted herewith for the convenience of the Court.

Respectfully submitted,

Thomas M. DiBiagio
United States Attorney

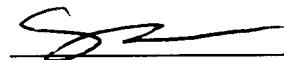


Steven H. Levin
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6625 United States Courthouse
101 West Lombard Street
Baltimore, Maryland 21201-2692
Telephone (410) 209-4800

Oct 27, 2003
Date

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on October 27th 2003, a copy of the foregoing Motion for Final Order of Forfeiture was mailed first class, postage prepaid to Caroline D. Ciraolo, Esquire, 217 E. Redwood Street, Suite 2000, Baltimore, Maryland 21202.



Steven H. Levin
Assistant United States Attorney

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* * * * * * *
FINAL ORDER OF FORFEITURE

IT IS ORDERED, ADJUDGED, AND DECREED on this ____ day of October 2003, that:

1. The United States of America has provided constructive notice by publication of the pendency of this forfeiture action;
2. The time for the filing of any claim to contest this forfeiture has expired;
3. The United States of America has shown that there was reasonable cause for the seizure of the defendant property under 28 U.S.C. Section 2465;
4. The defendant property is condemned and all rights, title, and interest of William Anthony Benbow, Margaret Benbow and MZ Biddy Consulting a/k/a MZBC, Inc, and any and all other persons is **HEREBY FORFEITED** to the United States of America.
5. The United States Marshals Service shall dispose of the defendant property in accordance with law and in accordance with the Consents annexed to the government's motion.
6. The clerk of the court shall provide copies of this order to counsel of record.

William M. Nickerson
United States District Judge